

**Draft Desk Statement
Internal and Deliberative**

Ninth Circuit Court Decision Requesting EPA Discontinue the Use of Tetrachlorvinphos

EPA is **Ex. 5 Deliberative Process (DP)** currently reviewing the court decision issued by the Ninth Circuit Court of Appeals regarding the National Resources Defense Council's (NRDC) petition to cancel all registered pet uses for the pesticide tetrachlorvinphos (TCVP). **Ex. 5 Deliberative Process (DP)**

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Protecting children's health is a top priority for EPA. **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) EPA bases its regulatory determinations on scientific risk assessments and risk mitigation, consistent with US federal law.

TCVP is currently undergoing registration review, a program that re-evaluates all pesticides on a 15-year cycle. This is a comprehensive, scientific and transparent process that will further evaluate TCVP's potential effects. In the course of the TCVP registration review, the Agency is preparing a revised human health risk assessment to incorporate new data addressing the composition of pet collars. The revised risk assessment will determine what pet products pose risks of concern to human health. **Ex. 5 Deliberative Process (DP)**
action.

EPA anticipates completing the revised risk assessment for TCVP registration review and publishing **Ex. 5 Deliberative Process (DP)** in June 2020. The Agency continues to meet all deadlines in the registration review process for TCVP.

Background

In 2009, the Natural Resources Defense Council (NRDC) filed the petition for EPA to cancel all pet uses of TCVP. EPA initially issued a denial to the petition in November 2014 based on the available data at the time. In January 2015, NRDC filed a petition for review of EPA's denial. During the pendency of that petition for review, the Agency revised the human health risk assessment in December 2016 with the use of additional data finding health risks for young children that exceeded levels of concern. The estimated risks were based on assumptions of the composition of the pet collars, specifically how much of the active ingredient is present in the form of dust or liquid.

EPA informed NRDC in March 2017 that the Agency intends to address any risk mitigation issues in the course of registration review.

As a result of discussions with the sole registrant of TCVP pet uses, Hartz Mountain Corporation, EPA issued a data call-in (DCI) requiring Hartz to submit a study to address the composition of pet collars in June 2019.

EPA is currently updating its human health risk assessment, which will result in a more complete, accurate assessment of the risks of TCVP. The Agency expects to issue a revised risk assessment in June 2020.

TCVP is an organophosphate insecticide registered to control various insects including public health pests such as fleas, ticks, flies, lice, and pest larvae. The insecticide is used as a dermal or oral treatment to livestock (i.e., cattle, swine, poultry and horses) and their premises, in kennels, outdoors as a perimeter treatment, and as a flea treatment on cats and dogs.

[HYPERLINK "<https://www.epa.gov/ingredients-used-pesticide-products/tetrachlorvinphos-tcvp>"]

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